

UNITED STATES DISTRICT COURT

Southern

District of

New York

E. Mishan & Sons, Inc.,

**SUMMONS IN A CIVIL ACTION**

v.

Commercial Bargains, Inc. and Does 1-2,

CASE NUMBER  
**08 CV 5342**

TO: (Name and address of Defendant)

Commercial Bargains, Inc.  
820 S. Water Street (Upper)  
Milwaukee, WI 53204

**YOU ARE HEREBY SUMMONED** and required to serve on PLAINTIFF'S ATTORNEY (name and address)

Angelo Notaro, Esq.  
Notaro & Michalos P.C.  
1270 Broadway, Suite 807  
New York, NY 10001-3224

an answer to the complaint which is served on you with this summons, within 20 days after service of this summons on you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. Any answer that you serve on the parties to this action must be filed with the Clerk of this Court within a reasonable period of time after service.

**J. MICHAEL McMAHON**

JUN 11 2008

*Connealy*

DATE

(By) DEPUTY CLERK

AO 440 (Rev. 8/01) Summons in a Civil Action

RETURN OF SERVICE		
Service of the Summons and complaint was made by me <sup>(1)</sup>	DATE	<u>6/17/08</u>
NAME OF SERVER (PRINT) <u>Matthew Paul Gaffey</u>	TITLE	<u>Process Administrator</u>
Check one box below to indicate appropriate method of service:		
<input type="checkbox"/> Served personally upon the defendant. Place where served:  <input type="checkbox"/> Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein. Name of person with whom the summons and complaint were left:  <input type="checkbox"/> Returned unexecuted:		
<input checked="" type="checkbox"/> Other (specify): <u>Served Ryan Pattee as Registered Agent of Commercial Bargains, Inc. at 820 S. Water St. Milwaukee, WI.</u>		
STATEMENT OF SERVICE FEES		
TRAVEL	SERVICES	TOTAL \$0.00
DECLARATION OF SERVER		
I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.		
Executed on <u>6/18/08</u> Date	<u>Matthew A. Gaffey</u> Signature of Server	
Address of Server _____		
ATTORNEY'S PROCESS & INVESTIGATION SERVICES, INC. 205 DOTY ST SUITE 202 GREEN BAY WI 54301		

(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.

**AFFIDAVIT OF SERVICE**

**UNITED STATES DISTRICT COURT  
Southern District of New York**

Index Number: 08 CV 5342

Date Filed: \_\_\_\_\_

Plaintiff:

**E. Mishan & Sons, Inc.**

vs.

Defendant:

**Commercial Bargains Inc., et al**

For:

Angelo Notaro  
Notaro & Michalos P.C.  
1270 Broadway Suite 807  
New York, NY 10001-3324

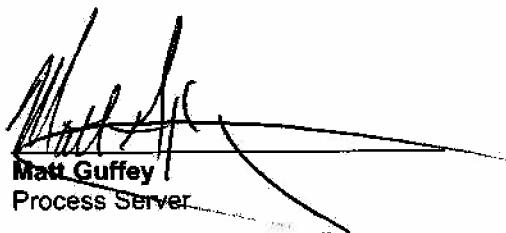
Received by API Services, Inc. on the 12th day of June, 2008 at 1:02 pm to be served on **Commercial Bargains Inc., 820 S. Water Street, Milwaukee, WI 53204**.

I, Matt Guffey, being duly sworn, depose and say that on the **17th day of June, 2008 at 1:16 pm**, I:

served a **CORPORATION** by delivering a true copy of the **Summons; Complaint; Civil Cover Sheet; Rule 7.1 Statement and Electronic Case Filing Rules & Instructions** with the date and hour of service endorsed thereon by me, to: **Ryan Pattee as Registered Agent for Commercial Bargains Inc.**, at the address of: **820 S. Water Street, Milwaukee, WI 53204**, and informed said person of the contents therein, in compliance with state statutes.

I certify that I am over the age of 18, have no interest in the above action, and am a resident of the state in which service was completed.

Subscribed to and Sworn to before me on  
the 18th day of June, 2008



Matt Guffey  
Process Server

Kathleen H. B.  
NOTARY PUBLIC  
State of Wisconsin

My Commission Expires 2/15/2009

API Services, Inc.  
205 Doty St. Ste. 202  
Green Bay, WI 54301  
(920) 435-8317

Our Job Serial Number: 2008001625  
Ref: J137-1152